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SEA

SERVICE DATE – OCTOBER 24, 2005

SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

ENVIRONMENTAL ASSESSMENT

STB DOCKET NO. AB-167 (Sub No. 1186X)

**Consolidated Rail Corporation—Abandonment Exemption—In Cumberland County,
New Jersey**

BACKGROUND

On September 30, 2005, the Consolidated Rail Corporation (Conrail) filed a notice of exemption pursuant to 49 C.F.R. 1152.50 to abandon the line of railroad known as the Clayville Industrial Track, from approximately milepost 0.0 to approximately milepost 1.0, in the city of Vineland, Cumberland County, New Jersey, traversing United States Postal Service Zip Code 08360. A map depicting the rail line in relationship to the area served is appended to this Environmental Assessment. If the notice becomes effective, the railroad will be able to salvage track, ties, and other railroad appurtenances and dispose of the right-of-way.

ENVIRONMENTAL REVIEW

The railroad submitted an environmental report that concludes the quality of the human environment would not be affected significantly as a result of the abandonment or any post-abandonment activities, including salvage and disposition of the right-of-way. The railroad served the environmental and historical reports on a number of appropriate Federal, state, and local agencies as required by the Surface Transportation Board's (Board) environmental rules [49 CFR 1105.7(b)]. The Board's Section of Environmental Analysis (SEA) has reviewed and investigated the environmental record in this proceeding.

According to Conrail, this line has been out of service for more than two years. Consequently, the proposed abandonment would cause no diversion of passengers or freight to other transportation systems or modes. Because the line has handled no local or overhead traffic during the last two years, the proposed abandonment would not affect the transportation of energy resources or recyclable commodities, and would not result in an increase in overall energy efficiency. If authority is granted to abandon the line, Conrail intends to remove all track, track material, and crossties from the right-of-way. At this time, Conrail has no plans to dispose of the structures on the right-of-way.

Conrail states that it is aware of no inconsistencies of the proposed action with existing land use plans. The Director of the Cumberland County Board of Freeholders and the Cumberland County Department of Planning and Development have not responded to Conrail's request for local land use planning information. According to the Natural Resources

Conservation Service, salvage activities would not have a negative impact on any prime farmland. In a letter of August 15, 2005, the New Jersey Coastal Management Program states that the abandonment of a rail line is not a listed activity. Therefore, a Federal Consistency Determination is not required. Conrail is aware of no hazardous waste sites or hazardous materials spills on the right-of-way.

The U.S. Fish and Wildlife Service (USFWS) submitted comments stating that, except for an occasional transient bald eagle, no other federally listed or proposed endangered or threatened flora or fauna under its jurisdiction are known to occur within the vicinity of the proposed project site. Therefore, no further consultation pursuant to Section 7 of the Endangered Species Act is required by the USFWS.

Based on a site inspection, the New Jersey Department of Environmental Protection (NJDEP) is aware of no inconsistency of the proposed abandonment with applicable state and local water quality standards. The U.S. Army Corps of Engineers (Corps) indicated that the Corps has no jurisdiction with respect to the proposed abandonment, and that jurisdiction lies with NJDEP.

Conrail states that air pollutant emissions associated with salvage activities are expected to be insignificant. Moreover, the minor increase in noise levels during salvage activities would be short-term and insignificant.

The National Geodetic Survey has advised that no geodetic station markers have been identified that may be affected by the proposed abandonment.

HISTORIC REVIEW

The railroad submitted an historic report as required by the Board's environmental rules [49 CFR 1105.8(a)] and served the report on the New Jersey State Historic Preservation Office (SHPO), pursuant to 49 CFR 1105.8(c). At the time this Environmental Assessment was prepared, the SHPO had not completed its assessment of the proposed abandonment. Pending completion of the SHPO's review, we recommend a condition to ensure compliance with the Section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f.

No federally recognized tribes have been identified in the vicinity of the proposed abandonment.

CONDITIONS

SEA recommends that the following environmental condition be placed on any decision granting abandonment authority:

- Pending completion of the New Jersey State Historic Preservation Office's review, Conrail shall retain its interest in and take no steps to alter the

historic integrity of all sites and structures on the right-of-way that are 50 years old or older until completion of the Section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f.

CONCLUSIONS

Based on the information provided from all sources to date, SEA concludes that, as currently proposed, and if the recommended conditions are imposed, abandonment of the line would not significantly affect the quality of the human environment. Therefore, the environmental impact statement process is unnecessary.

Alternatives to the proposed abandonment would include denial (and therefore no change in operations), discontinuance of service without abandonment, and continued operation by another operator. In any of these cases, the existing quality of the human environment and energy consumption should not be affected.

PUBLIC USE

Following abandonment and salvage of the rail line, the right-of-way may be suitable for other public use. A request containing the requisite four-part showing for imposition of a public use condition (49 CFR 1152.28) must be filed with the Board and served on the railroad within the time specified in the Federal Register notice.

TRAILS USE

A request for a notice of interim trail use (NITU) is due to the Board, with a copy to the railroad, within 10 days of publication of the notice of the notice of exemption in the Federal Register. Nevertheless, the Board will accept late-filed requests as long as it retains jurisdiction to do so in a particular case. This request must comply with the Board's rules for use of rights-of-way as trails (49 CFR 1152.29).

PUBLIC ASSISTANCE

The Board's Office of Public Services (OPS) responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact OPS directly at (202) 565-1592, or mail inquiries to Surface Transportation Board, Office of Public Services, Washington, DC 20423.

COMMENTS

If you wish to file comments regarding this environmental assessment, send an **original and two copies** to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Phillis Johnson-Ball, who prepared this environmental assessment. Environmental comments may also be filed electronically on the Board's web site, www.stb.dot.gov, by clicking on the "E-FILING" link. **Please refer to Docket No. AB-167 (Sub. No. 1186X) in all correspondence, including e-filings, addressed to the Board.** If you have any questions regarding this environmental assessment, please contact Phillis Johnson-Ball, the environmental contact for this case, by phone at (202) 565-1530, fax at (202) 565-9000, or e-mail johnson-ballp@stb.dot.gov.

Date made available to the public: October 24, 2005.

Comment due date: November 8, 2005.

By the Board, Victoria Rutson, Chief, Section of Environmental Analysis.

Vernon A. Williams
Secretary

Attachment